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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/525,413

02/22/2005

Lars Christian Larsen

2081-0130PUS1

5104

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7590

10/20/2006

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EXAMINER

BOCHNA, DAVID

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 10/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/525,413	Applicant(s) LARSEN ET AL.	
	Examiner David E. Bochna	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements filed 5/23/06 and 2/22/05 fail to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

2. Claims 1-10 are objected to because of the following informalities: The spelling of certain words, such as "characterised" and "fibre" should be changed to conform with American English spelling. Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 9-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Regarding claim 9, the phrase "for instance" renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

6. Claim 10, it appears that claim 10 should depend from claim 9 and not claim 8 because an exhaust system is not recited in claim 8.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Potts et al.

In regard to claim 1, Potts et al. discloses a clamping strap (22) for joining two pipe ends 6, 5, said clamping strap presenting a shape corresponding to the circumference of the two pipe ends, and where the clamping strap includes a first web member (60, 74) extending parallel to the pipe walls (6,5), a second web member (52,54) extending inclined from each side of the first web member (1) and inwards towards the pipe walls, a compressible sealing band (70) arranged on the inner side of the first web member (60, 74) between the two second web members (52,54) and of a width substantially corresponding to the width of the first web member (60, 74), when seen in use in a cross-sectional direction through the central axis of the pipes, characterized in that a third web member (22 in fig. 7) extends from the innermost end of each of the second web members (52,54) and parallel to the pipe walls (5,6), and that the ends of the clamping strap overlap one another.

In regard to claim 2, characterized in that it is made as a continuous, flexible strap with two clamping strap ends interconnected by means of a single tightening means (36), said tightening means allowing the clamping strap (22) to be clamped about the pipe ends.

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In regard to claim 3, characterized in that the third web members (22 in fig. 7) are of a width of at least 5 mm measured in the longitudinal direction of the pipes.

In regard to claim 4, the sealing band is made of a woven fiber glass material (see col. 6, lines 45-46).

In regard to claim 5, the strap 22 is cylindrical.

In regard to claim 6, a pipe end joint where two pipe ends are provided with a bead (275,278 in figs. 26-28) extending radially outwards from the outer side of the pipe walls (273,276), and where a clamping strap (220) according to one of the claims 1 to 5 claim 1 is clamped about the pipe ends in such a manner that the beads are arranged between the two second web members, and where the third web members abut the outer side of said pipe ends.

In regard to claim 7, characterized in that the beads 275 of one or of both pipe ends are provided by way of folding.

In regard to claim 8, characterized in that the folding is provided by folding the end of the pipe wall 275 together with an end plate 274 extending substantially perpendicular to the central axis of the pipe.

In regard to claim 9, an exhaust system for vehicles including a tubular inlet module 276, a tubular emission treatment module 271 with for instance a particle filter or a catalyst, and a tubular outlet module 272b, characterized in that the emission treatment module 271 is joined at both ends to the inlet module 276 and the outlet module 272b, respectively, by means of a clamping strap 220 according to claim 1.

In regard to claim 10, an exhaust system characterized in that the emission treatment module 271 is joined at one or both ends with the inlet module 276 and the outlet module 272b, respectively, by means of a pipe end joint according to claim 6.

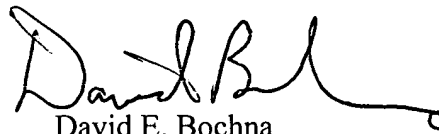
Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Antonelli et al., Andersson et al., Arnoldt, Meinig, Peash, Mizusawa et al., Guy, Woolsey and Rice all disclose similar couplings common in the art.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


David E. Bochna
Primary Examiner
Art Unit 3679